

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

MATTHEW J. ROMERO, et al.,	:	
	:	
Plaintiff	:	No. 1:13-CV-00591
	:	
vs.	:	(Judge Kane)
	:	
WARDEN ROY JOHNSON, et al.,	:	
	:	
Defendants	:	

MEMORANDUM

Background

On March 4, 2013, Plaintiffs, eight prisoners confined at the Northumberland County Prison filed a complaint pursuant to 42 U.S.C. § 1983. In the complaint, Plaintiffs alleged that prison officials maintained inhumane conditions of confinement, retaliated against them for complaining of those conditions, denied them access to the grievance procedure, and granted privileges to inmates in a racially discriminatory manner. The eight Plaintiffs are as follows: Matthew J. Romero, Hakeem Jefferson, Tyrone E. A. Short, Katone Walker, Robert Perez, Timothy Tyler, Jason Mercado and Angel Espada.

On March 6, 2013, a Pro Se Letter was issued to each of the Plaintiffs which advised them that they had "an affirmative obligation to keep the court informed of [their] current address" and if they had a change of "address while the lawsuit is being litigated" they were to "immediately inform the court of the change in writing." (Doc. No. 5) Also, on March 6, 2013, a

Standing Practice Order was issued which advised each Plaintiff in pertinent part as follows: "If the court is unable to communicate with the plaintiff because the plaintiff has failed to notify the court of his or her address, the plaintiff will be deemed to have abandoned the lawsuit." (Doc. No. 6) The Standing Practice Order further required that "all parties shall follow the requirements of these rules or suffer the consequences of their failure to do such, including possible dismissal of their action." Id.

On September 28, 2015, the court issued an order (Doc. 65) which, inter alia, dismissed the complaint as it related to Short, Walker, Perez, Tyler, Mercado and Espada for failure to prosecute and abide by a court order, i.e., failure to keep the court informed of their current addresses. On October 15, 2015, the court issued an order (Doc. 70) which dismissed the complaint as it related to Romero for the same reason the other Plaintiffs' claims listed above were dismissed. As a result of that order one Plaintiff, Hakeem Jefferson, remained in the case.

On October 28, 2015, the order of September 28, 2015, (Doc. 65) which was mailed to Jefferson at his last known address was returned to the court as undeliverable. Doc. 73. On November 2, 2015, the order of October 15, 2015 (Doc. 70) which was mailed to Jefferson at his last known address was returned to the court as undeliverable. Doc. 74. An online inmate search utilizing Vinelink.com reveals that Jefferson is "out of custody."

Jefferson has not advised the court of his current address.

Consequently, the court concludes that Jefferson has abandoned the lawsuit and the court will dismiss his claims for failure to prosecute and abide by a court order.

An appropriate order will be entered.